

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA)
Plaintiff,)
)
v.) Case No. 5:22-CR-18
DOMINIQUE TROUPE)
Defendant.)

**DEFENDANT'S MOTION IN OPPOSITION TO GOVERNMENT'S
MOTION TO DISQUALIFY AND REQUEST FOR A HEARING**

NOW COMES Defendant, DOMINIQUE TROUPE, by and through his attorney, Mark A. Kaplan, Esq., and KAPLAN AND KAPLAN, and hereby opposes the Government's Motion to Disqualify Attorney Mark Kaplan as his counsel in the above-captioned case and requests the Court set a motion hearing on this matter. As grounds for this motion, Defendant sets forth the Memorandum below herein:

I. Memorandum

Attorney Kaplan acknowledges the existence of a potential conflict of interest in connection with his representation of Defendant Troupe in this action and Attorney Stephanie Greenlees', an associate attorney at KAPLAN AND KAPLAN, representation of Witness 1 relating to Witness 1 providing evidence concerning an underlying charge against Defendant. However, Attorney Kaplan's knowledge of and access to information regarding Witness 1 during Attorney Greenlees' representation of Witness 1 consisted of limited discussions with Attorney Greenlees in March 2022 that were not directed toward the substance of the evidence Witness 1 provided regarding the underlying charge against Defendant.

In addition, the potential conflict of interest here can be resolved by obtaining a waiver of

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conflict of interest from Defendant and from Witness 1. Waivers of conflicts of interest in circumstances similar to those present here are not uncommon and often are necessary in the District of Vermont given its limited number of attorneys practicing federal criminal defense.

II. Conclusion

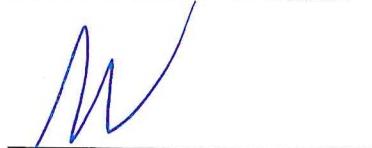
WHEREFORE, Defendant opposes the Government's Motion to Disqualify and respectfully requests the Court schedule a motion hearing on this matter.

DATED at Burlington, Vermont, this 30 day of January, 2023.

Respectfully Submitted By,

DOMINIQUE TROUPE
By Counsel

KAPLAN AND KAPLAN



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